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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Mersch, Gerhard

Serial No.: 09/931,489

Filed: 08/21/2001

Group Art Unit: 3634

Examiner: Redman, Jerry E.

For: DOOR MODULE FOR MOTOR VEHICLE DOORS

Official

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JAN 31 2003

GROUP 3600

REQUEST FOR RECONSIDERATION

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

This paper is responsive to the Office Action mailed on December 3, 2002.

Applicant respectfully transverses the rejection under 35 U.S.C. §103 because there is no motivation to make the proposed combination. *Seeberger, et al.* cannot be combined with *Yamashita* because there is no benefit to making the combination. The drive control unit 9 of *Seeberger* is already enclosed in a housing (column 5, line 34). Therefore, there is no benefit to adding a housing as taught by *Yamashita*; it would be redundant.

Further, *Seeberger, et al.* repeatedly stress that the control unit 9 is on the dry side of the support plate 3. Column 4, line 41, for example states that there is a "hermetic separation" and line 44 states that "a seal provided on the circumferential fastening flange 30 prevents dampness from entering." *Seeberger, et al.* repeatedly refer to the dry space side and, therefore, only hindsight reasoning would suggest that moisture would possibly enter that side of the arrangement of *Seeberger, et al.*

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Further, even if the combination could be made it does not meet many of
Applicant's claims.

Applicant respectfully requests a Notice of Allowance.

Respectfully submitted,

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Dated: January 30, 2003

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to Examiner Jerry E. Redman, Patent and Trademark Office (Fax No. (703) 872-9327) on January 30, 2003


Theresa M. Palmatier

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